

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MICHAEL WAYNE GEORGE,)
)
Petitioner,)
)CIVIL NO. 2:05-CV-1211-PWG
v.)
)
BILLY MITCHEM, WARDEN;)
ATTORNEY GENERAL FOR THE)
STATE OF ALABAMA,)
)
Respondents.)

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on August 25, 2006, recommending that the petition for writ of habeas corpus be dismissed as untimely. On September 26, 2006 and October 30, 2006 petitioner's motions for extension of time to file objections were granted. On November 7, 2006 petitioner filed objections to the findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation and the objections filed by the petitioner, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby **ADOPTED** and his recommendation is **ACCEPTED**. Accordingly, the petition for writ of habeas corpus is due to be **DISMISSED** as untimely. A Final Judgment will be entered.

As to the foregoing it is **SO ORDERED** this the 16th day of November, 2006.


VIRGINIA EMERSON HOPKINS
United States District Judge